

REMARKS

The Application has been carefully reviewed in light of the Office Action dated April 22, 2004 (Paper No. 20). Claims 1 to 69 are in the application, of which Claims 1, 18, 23, 37, 54 and 68 are independent and are being amended herein. Reconsideration and further examination are respectfully requested.

The Applicant gratefully acknowledges the indication of allowable subject matter in the Office Action, with Claim 69 being indicated as being allowable if rewritten in independent form. Claim 69 is not being rewritten since it is the Applicant's belief that the claim on which Claim 69 depends is patentable over the applied art.

Claims 1 to 7, 17 to 27, 37 to 43, 53 to 58 and 68 are rejected under 35 U.S.C. § 103(a) over an article by Giza entitled "Using A Digital Camera As A Presentation Tool: Screen-Capturing Slides" (Giza) and Chapter 15 of Charles Petzold's book entitled "Programming Windows 95--The Definitive Developer's Guide to the Windows 95 API" (Petzgold), and Claims 8 to 11, 28 to 31, 44 to 47 and 59 to 62 have been rejected under 35 U.S.C. § 103(a) over Giza, Petzold and U.S. Patent 5,164,831 (Kuchta). Reconsideration and withdrawal of the rejections are respectfully requested.

The present invention is directed to a camera driver forming camera-formatted data in response to receipt by the camera driver of application-formatted data, the camera-formatted data being output to a camera.

The claims of the present invention are amended to recite that a print/output operation is an operation of the application program, and that the application outputs application-formatted data to a camera driver in response to the print/output operation of

the application program.

The applied art, namely Giza, Petzold and Kuchta, is not seen to show the above-identified features.

Applicant submits that no one reference when taken alone teaches all of the features of the claims, a point to which the Office Action is seen to concede. Further, Applicant submits that no permissible combination of the references teaches the claimed invention. Accordingly, the grounds for rejecting the claims set forth in the Office Action is seen to be deficient.

More particularly, in the remarks found at pages 2 and 3, the Office Action concedes that Giza uses a “print command” of an operating system. In addition, it is conceded that Giza describes a process which transfers data between several applications. It is further conceded by the Office Action that Petzold uses device drivers for either a printer or a device that masquerades as a printer to output printer-formatted data.

In view of the concessions made in the Office Action, it is submitted that the rejection of the claims under 35 U.S.C. § 103(a) fails to establish the requisite *prima facie* case of obviousness, and withdrawal of the § 103(a) rejection is accordingly respectfully requested.

"To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when

combined) must teach or suggest all the claim limitations." M.P.E.P. § 2143.

Giza is a process which uses several applications and an operating system print screen operation. The operating system's print screen operation retrieves bit-mapped image data from a display buffer and stores it in a paste buffer. According to Giza, a user then opens another application, pastes the data from the paste buffer to the new application, which further manipulates the data. In other words, the "print command" described in Giza results in bit-mapped data stored in a computer system's display buffer being stored in another operating-system buffer for input to another application executed by the computer system. Giza is not understood to use of a printer, or a printer driver. It is submitted that Giza cannot fairly be interpreted to involve printing, since the command is invoked in Giza is merely seen to cause the operating system to retrieve data from a display buffer and store the data in a paste buffer.

It is stated in the Office Action that:

"[i]t would have been obvious to any one of ordinary skill in the art at the time the invention was made to automate the process of Giza in order to save computing time by using customized data format conversion software. Giza does not teach a method of automating the above process so that a computer can more easily perform the format conversion process as performed above."

It is submitted that Giza does describe a process of automating a format conversion. The process described by Giza uses applications running on a computer, buffers maintained by the computer's operating system, and operating system commands to retrieve buffered data and to paste it into an application, in which a "save" operation is used to store the data to a file in the operating system's file system. Giza then uses a utility

application to upload the saved file to the camera.

Giza is therefore not seen to disclose a printing/outputting operation of an application program, and nothing in Giza is seen to disclose or suggest an application printing/outputting application-formatted data in response to the print/output operation.

The Office Action then states that:

...Petzold teaches in the Microsoft Windows programming guide the use of software code in the form of print or device drivers that will automatically convert application-formatted data into formatted data corresponding to a printer or a device that masquerades as a printer.

It is submitted that Petzold is limited to printer devices and further that Petzold cannot fairly be interpreted to apply its concepts to all types of devices, of which a printing device is just one and a camera is another.

Accordingly, it is respectfully submitted that no permissible combination of Giza and Petzold teaches each and every feature of the present invention. Accordingly, it is submitted that the rejection of the claims based on Giza and Petzold does not satisfy the criteria for establishing a *prima facie* case of obviousness, and withdrawal of the § 103(a) rejection of the claims based on Giza and Petzold is respectfully requested.

Finally, Kuchta has also been carefully reviewed and is not seen to remedy the deficiencies noted with respect to Giza and Petzold.

In view of the foregoing, the entire application is believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicant's undersigned attorney may be reached in our Costa Mesa,

California office by telephone at (714) 540-8700. All correspondence should be directed to our address given below.

Respectfully submitted,



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